

Item # \_\_\_\_\_

Prepared by: Gloria Kelly  
Real Estate Services

Commissioner \_\_\_\_\_

Approved by: Lisa Kelly  
County Attorney

**A RESOLUTION APPROVING THE CONVEYANCE OF AN IMPROVED PARCEL OF COUNTY OWNED DELINQUENT TAX PROPERTY, 13,939 SQUARE FEET (0.32 ACRES), MORE OR LESS, IN SIZE, LOCATED BETWEEN THE NORTH END OF VALERIE COVE AND THE SOUTH SIDE OF MILTON WILSON ROAD, APPROXIMATELY 125 FEET WEST OF SUMMER MEADOWS LANE, TO THE TOWN OF ARLINGTON, FOR NOMINAL CONSIDERATION; AND TO AUTHORIZE THE MAYOR TO EXECUTE A QUIT CLAIM DEED CONVEYING SAID PARCEL TO THE TOWN OF ARLINGTON FOR ITS USE AS PART OF THE TOWN'S PUBLIC STORMWATER MANAGEMENT SYSTEM AS A STORMWATER DETENTION FACILITY.**

**SPONSORED BY: COMMISSIONER GEORGE S. FLINN, JR.**

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**WHEREAS**, In 2007, Shelby County acquired an improved parcel of Delinquent Tax Property (i.e. improved as a privately owned stormwater detention facility), 13,939 square feet (0.32 acres), more or less, in size, located between the north end of Valerie Cove and the south side of Milton Wilson Road, approximately 125 feet west of Summer Meadows Lane, within the Town of Arlington, in Tax Sale No. 0402, and further identified as Tax Parcel Number A0151U0C000460; and

**WHEREAS**, The Town of Arlington has determined that this parcel of Delinquent Tax Property, improved as a privately owned stormwater detention facility is needed by the Town of Arlington as part of its public storm water management system to ensure that it continues to be maintained as a functioning stormwater detention facility; and

**WHEREAS**, The Town of Arlington has requested Shelby County to convey this improved parcel of Delinquent Tax Property to it, for nominal consideration, for the Town's use of the same for said public purpose, which improved parcel of Delinquent Tax Property being more particularly described in the attached Quit Claim Deed, which is hereby incorporated by reference; and

**WHEREAS**, T.C.A. §67-5-2509(d) allows Shelby County to transfer real property acquired in a tax sale to any other governmental entity for a public use and purpose; and

**WHEREAS**, It is deemed to be in the best interest of Shelby County to convey said improved parcel of Delinquent Tax Property, 13,939 square feet (0.32 acres), more or less, in size, to the Town of Arlington, for nominal consideration, to be used as part of the town's public stormwater management system as a stormwater detention facility.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE**, That the aforementioned Delinquent Tax Property conveyance to the Town of Arlington, for nominal consideration, be and the same is hereby

approved; and that the Mayor be and he is authorized to execute the attached Quit Claim Deed Document affecting the same.

\_\_\_\_\_  
A C Wharton, Jr., County Mayor

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Clerk of County Commission

ADOPTED \_\_\_\_\_

## **SUMMARY SHEET**

### **I. Description of Item**

**A RESOLUTION APPROVING THE CONVEYANCE OF AN IMPROVED PARCEL OF COUNTY OWNED DELINQUENT TAX PROPERTY, 13,939 SQUARE FEET (0.32 ACRES), MORE OR LESS, IN SIZE, LOCATED BETWEEN THE NORTH END OF VALERIE COVE AND THE SOUTH SIDE OF MILTON WILSON ROAD, APPROXIMATELY 125 FEET WEST OF SUMMER MEADOWS LANE, TO THE TOWN OF ARLINGTON, FOR NOMINAL CONSIDERATION; AND TO AUTHORIZE THE MAYOR TO EXECUTE A QUIT CLAIM DEED CONVEYING SAID PARCEL TO THE TOWN OF ARLINGTON FOR ITS USE AS PART OF THE TOWN'S PUBLIC STORMWATER MANAGEMENT SYSTEM AS A STORMWATER DETENTION FACILITY.**

### **II. Source and Amount of Funding**

No county funds required.

### **III. Contract Items**

Quit Claim Deed

### **IV. Additional Information Relevant to Approval of this Item**

This is an improved parcel of County owned Delinquent Tax Property (i.e. improved as a privately owned stormwater detention facility), approximately 0.32 acres in size, located between the north end of Valerie Cove and the south side of Milton Wilson Road, approximately 125 feet west of Summer Meadows Lane, within the Town of Arlington, and further identified as Tax Parcel Number A0151U0C000460. It was acquired in 2007 by the County in Tax Sale No. 0402 for outstanding taxes, penalties and interest in the amount of \$5,556.75. Upon review of this parcel, the Town of Arlington has determined that it is needed by the Town for use in conjunction with its public stormwater management system to ensure that it continues to be maintained as a functioning stormwater detention facility. Accordingly, the Town of Arlington has requested the County to convey this parcel to it, for nominal consideration, for the Town's use of the same for said public purpose. The County may transfer County owned Delinquent Tax Property to another Governmental Entity for nominal consideration if the property is to be used for a public purpose. Since this parcel is improved as a functioning stormwater detention facility and is encumbered, in its entirety, by a dedicated permanent easement for stormwater detention, it is deemed to be in the public's best interest to have this Delinquent Tax Property and the stormwater detention facility thereon owned by the Town of Arlington. Based on the above, it is hereby recommended by the Administration that this Delinquent Tax Property conveyance be approved.

## **QUIT CLAIM DEED**

THIS INDENTURE, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2008, by and between the **County of Shelby, a Political Subdivision of the State of Tennessee**, (hereinafter referred to as "**Grantor**"), and the **Town of Arlington, a Municipal Corporation of the State of Tennessee**, (hereinafter referred to as "**Grantee**").

WITNESSETH: That for and in consideration of TEN AND NO/100 DOLLARS (\$10.00), cash in hand paid and other good and valuable considerations, the receipt and sufficiency of all of which is hereby acknowledged, **Grantor** has bargained and sold and does hereby bargain, sell, remise, release, convey and forever quitclaim unto **Grantee** all of its right, title and interest in and to the following described real estate, situated and being in the Town of Arlington, County of Shelby, State of Tennessee, to-wit:

**A parcel of land acquired by the Commissioners of Shelby County as described in Chancery Court Cause T.R.D. No. 9478-2, Exhibit #15915, County Tax Sale #0402 and being more particularly described as follows:**

**BEGINNING at a point in the south right of way line of Milton Wilson Road (68 foot R/W), said point being the northwest corner of Lot 1, Phase I, Summer Meadows Subdivision, as shown on plat of record in Plat Book 172, Page 46, in the Register's Office of Shelby County, Tennessee; thence S 03°14'05" W along the west line of said Lot 1 a distance of 61.75 feet to a point, said point being the northeast corner of Lot 38, Phase 1, Snyder Grove Subdivision, as shown on plat of record in Plat Book 201, Page 37, in the Register's Office of Shelby County, Tennessee; thence S 64°50'30" W along the northerly line of said Lot 38 a distance of 147.34 feet to a point in the easterly line of Valerie Cove; thence in a northwesterly direction on an arc to the left having a radius of 50.00 feet (Chord = N 33°31'24" W, 20.68 feet) an arc length of 20.83 feet to a point, said point being the southeast corner of Lot 37, Phase 1, Snyder Grove Subdivision, as shown on plat of record in Plat Book 201, Page 37, in the Register's Office of Shelby County, Tennessee; thence N 03°14'08" E along the east line of said Lot 37 a distance of 113.81 feet to a point in said south right of way line of Milton Wilson Road; thence S 87°20'52" E along said south line Milton Wilson Road a distance of 142.00 feet to the POINT OF BEGINNING.**

**Being part of the same property described Warranty Deed of Record in the Register's Office of Shelby County, Tennessee, in the Register's Official Record Book under Instrument Number JW 0788.**

**Containing 13,939 square feet (0.32 acres), more or less.**

**Tax Parcel No. A0151U0C000460**

This conveyance is being made for the public purpose of providing the hereinabove described real property for **Grantee's** use as part of the **Grantee's** public stormwater management system as a stormwater detention facility.

**Grantor** makes no claim or warranty relative to the environmental condition of the hereinabove described property being conveyed. The conveyance of the above described property is made without warranties of any kind, whatsoever.

This conveyance is subject to acceptance by **Grantee**, which acceptance being expressly acknowledged herein by the approval of the proper Officials as evidenced by their signatures herein below.

IN WITNESS WHEREOF, **Grantor** has caused this instrument to be executed by the affixing thereto of the signature of the Mayor of the County of Shelby, the said Mayor being authorized so to do pursuant to Section 4.03-18 of Chapter 260 of the Private Acts of 1974 in accordance with the approval of the Shelby County Board of Commissioners, on the \_\_\_\_ day of \_\_\_\_\_, 2008 in Resolution # \_\_\_\_.

**TOWN OF ARLINGTON**

By: \_\_\_\_\_  
Russell Wiseman, Town Mayor

**Approved as to Form:**

By: \_\_\_\_\_  
Town Attorney

**SHELBY COUNTY, TENNESSEE**

By: \_\_\_\_\_  
A C Wharton, Jr., County Mayor

By: \_\_\_\_\_  
Paul Matilla, Trustee

**Approved as to Form:**

By: \_\_\_\_\_  
Assistant County Attorney/  
Contract Administrator

**Other County Approvals:**

By: \_\_\_\_\_  
Land Bank Administrator

By: \_\_\_\_\_  
County Real Estate Manager

**STATE OF TENNESSEE  
COUNTY OF SHELBY**

Before me, the undersigned, a Notary Public within and for said State and County, duly commissioned and qualified, personally appeared **A C WHARTON, JR., Mayor of the County of Shelby**, with whom I am personally acquainted, and who upon oath acknowledged himself to be the **Mayor of the County of Shelby**, the within named bargainor, one of the counties of the State of Tennessee, and that he as such **Mayor** of said county, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of Shelby County by himself as such **Mayor** of said County of Shelby.

WITNESS my hand and Notarial Seal, at office in Memphis, in the County aforesaid, this \_\_\_\_ day of \_\_\_\_\_, 2008.

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Notary Public

MY COMMISSION EXPIRES:

**STATE OF TENNESSEE  
COUNTY OF SHELBY**

Before me, the undersigned, a Notary Public within and for said State and County, duly commissioned and qualified, personally appeared **PAUL MATILLA, Trustee of the County of Shelby**, with whom I am personally acquainted, and who upon oath acknowledged himself to be the **Trustee of the County of Shelby**, and that he as such **Trustee**, being authorized so to do, executed the foregoing instrument for the purposes therein contained.

WITNESS my hand and Notarial Seal, at office in Memphis, in the County aforesaid, this \_\_\_\_ day of \_\_\_\_\_, 2008.

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Notary Public

MY COMMISSION EXPIRES:

**STATE OF TENNESSEE  
COUNTY OF SHELBY**

Before me, the undersigned, a Notary Public within and for said State and County, duly commissioned and qualified, personally appeared **RUSSELL WISEMAN**, with whom I am personally acquainted, and who upon oath acknowledged himself to be the **Mayor of the Town of Arlington**, the within named bargainor, and that he as such **Mayor**, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the **Town of Arlington**, by himself as such **Mayor**.

WITNESS my hand and Notarial Seal, at office in the Town of Arlington, in the County aforesaid, this \_\_\_\_ day of \_\_\_\_\_, 2008.

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Notary Public

MY COMMISSION EXPIRES:

**(FOR RECORDING DATA ONLY)**

Property Address:  
**0 Valerie Cove**

Tax Parcel No:  
**A0151U0C000460**

Mail Tax Bills to: (Person or Agency  
responsible for payment of taxes)  
**Exempt - Government**

Owners Name and Address:  
**Town of Arlington  
5854 Airline Road  
Arlington, TN 38002**

This instrument prepared by:  
**Shelby County Government  
Real Estate Services  
584 Adams Ave.  
Memphis, TN 38103  
Phone No. (901) 545-3498**

**Tax Parcel No. A0151U0C000460**

**PERMANENT ESM'T FOR STORMWATER DETENTION 13939 Sq. Ft.**

**VALERIE COVE**

**SUMMER M...**



**0 Valerie Cove**  
Tax Parcel No. A0151U0C000460

**Subject Property**  
0.32 Acres +/-

